

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

AFFIDAVIT IN SUPPORT OF
MOTION

-against -

13 CR 076 (MKB)

GLADYS SOTO,

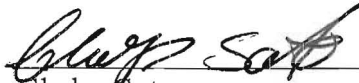
Defendant.
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STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

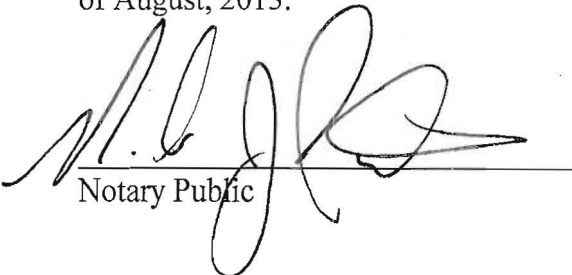
GLADYS SOTO, being duly sworn, deposes and says:

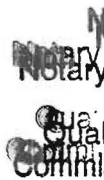
1. I am one of the defendants in this action. I make this affidavit in support of my motion to suppress statements allegedly made by me after my arrest on January 11, 2013. I cannot read or write in any language, although I am relatively comfortable with spoken English. This affidavit was read aloud to me by my lawyer. After he read it to me, I agreed that the statements were true and signed the affidavit.
2. On January 11, 2013, I was booked on a flight to travel to the Dominican Republic. At the request of my brother-in-law, Rafael Lopez, I agreed to take a bag for him to the Dominican Republic. I was told by Mr. Lopez that there was food in the bag. At no time did I look inside the bag, or even lift the bag to see how heavy it was. The bag was checked in at the outside check-in stand for carriage in the cargo area of the plane.
3. As I was about to board the flight, I was arrested by two people who identified themselves to me as federal agents. I was brought to an office, and shown that the bag contained a box with a large amount of money in it. I was told there was approximately \$100,000 in cash in the box. Until that moment, I had been unaware that the bag contained any cash.

4. I am told by my lawyer, based on his review of written reports furnished to him by the government, that the government is claiming that at approximately 11:32 a.m. on January 11, 2013 (although at least one report apparently says January 11, 2012) an unidentified agent "verbally advised SOTO of her Miranda rights and provided her [i.e., me] with a Statement of Rights form written in English."
5. My lawyer has explained to me what Miranda rights are. Before being arrested and indicted in this case, I had never heard the term "Miranda rights" before.
6. The statements contained in the agent's report are only partially true. I was not advised of my rights verbally, but I was given a piece of paper to read. I explained that I could not read in English, Spanish, or any other language. I was told to sign the form where the agent indicated, and wishing to be cooperative, I did. I did not know what the paper said, as I could not read it.
7. At no time subsequent did any person verbally explain my rights to me. I did not know I did not have to speak to the agents. I thought that since I was under arrest, I had to cooperate and answer their questions. Based on what my lawyer has told me is contained in the reports, the agents misunderstood, misheard or misconstrued much of what I actually said.


Gladys Soto

Sworn to before me this 9 day
of August, 2013.


Notary Public

 **NICHOLAS J. PINTO**
Notary Public, State of New York
No. 02PI6057780
Qualified in New York County
Commission Expires April 23, 2015